

Dec 18, 2006

PTO/SB/08 (07/05)

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/393,590
				Filing Date	September 9, 1999
				First Named Inventor	Elizabeth Moyer
				Art Unit	1648
				Examiner Name	Sharon L. Hurt
Sheet	1	Of	1	Attorney Docket Number	31242-701.201

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
SH		Response to Solstice Appeal by 01 (S.C.R.A.S.) before European Patent Office Technical Board of Appeal dated October 17, 2006 for EP 1 112 082 B1 (EP Application No. 99 945 649.4)	
		Response to Solstice Appeal by 02 (Allergan) before European Patent Office Technical Board of Appeal dated August 2, 2006 for EP 1 112 082 B1 (EP Application No. 99 945 649.4)	

Examiner Signature	Sharon Hurt	Date Considered	2/21/07
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Feb 2, 2007

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Sh		GOODNOUGH, et al. Chapter 12 - Recovery of Type A botulinal toxin following lyophilization. ACS Symposium Series (Formulation and Delivery of Proteins and Peptides). 1994; 567:193-203.	
Sh		SOMMER, et al. Botulinus toxin. J. Infectious Diseases. 1932; 51:243-253.	
Sh		WOOLFORD, et al. Heat inactivation of botulinum toxin Type A in some convenience foods after frozen storage. J. Food Science. 1978; 43:622-624.	

Examiner Signature	<i>Sharon Hurt</i>	Date Considered	2/21/07
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Sh		RANSON, Marie, Statutory Declaration dated February 1, 2007 for Australian Patent Application No. 755556 in the name of Solstice Neurosciences, Inc. entitled "Stable liquid formulations of Botulinum Toxin" and in the matter of opposition thereto by Allergan, Inc. (6 pages)	
Sh		Exhibit MR-5 (Schantz et al., Properties and Use of Botulinum Toxin and Other Microbial Neurotoxins in Medicine, Microbiological Reviews, Mar. 1992, p. 80-99) referred to in the Statutory Declaration of Marie Ranson dated February 1, 2007	
Sh		Exhibit MR-6 (Hexsel et al., Letters to the Editor, Dermatol. Surg., May 2004, 30(5):823) referred to in the Statutory Declaration of Marie Ranson dated February 1, 2007	
Sh		RANSON, Marie, further Statutory Declaration dated February 1, 2007 for Australian Patent Application No. 755556 in the name of Solstice Neurosciences, Inc. entitled "Stable liquid formulations of Botulinum Toxin" and in the matter of opposition thereto by Allergan, Inc. (7 pages)	

Examiner Signature	Sharon Hurt	Date Considered	2/21/07
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Substitute for form 1449/PTO

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Complete if Known

Application Number	09/393,590
Filing Date	September 9, 1999
First Named Inventor	Elizabeth Moyet
Art Unit	1645
Examiner Name	Sharon Kint
Attorney Docket Number	31242-701.201

Sheet

of

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS

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Sh		Collin, P. H., et al. Saline. In Pons Fachworterbuch Medizin dictionary (p. 368). 06/01/1992	
Sh		Unsel, D. W. (1991). Saline. In Medical Dictionary of the English and German Languages (p. 280).	
Sh		Urban & Schwarzenberg. Saline. In Roche Lexikon Medizin dictionary (p. 1400). 1994	
Sh		Walber de Gruyter. Saline. In Psyhyrembel Klinisches Worterbuch dictionary (p. 1483). 1994	
Sh		Decision Revoking the European Patent No. 1112082 dated November 22, 2005 from the European Patent Office	

Examiner Signature	Sharon Kint	Date Considered	9-13-2006
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		First Named Inventor	Elizabeth Moyer	
		Art Unit	1645	
Examiner Name				
Sheet		of	Attorney Docket Number	31242-701.201

U.S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US-			

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		Country Code ³ - Number ³ - Kind Code ³ (if known)				

NON PATENT LITERATURE DOCUMENTS

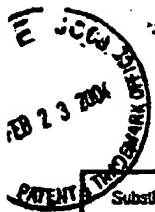
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SD		Collin, P. H., et al. Saline. In Pons Fachworterbuch Medizin dictionary (p. 368).	
SD		Unsel, D. W. (1991). Saline. In Medical Dictionary of the English and German Languages (p. 280).	
SD		Urban & Schwarzenberg. Saline. In Roche Lexikon Medizin dictionary (p. 1400).	
SD		Walber de Gruyter. Saline. In Psyhyrembel Klinisches Worterbuch dictionary (p. 1483).	
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		Application Number	09/393,590		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	September 9, 1999		
		First Named Inventor	Moyer, Elizabeth		
		Art Unit	1645		
		Examiner Name	XXXXX		
Sheet	2	of	2	Attorney Docket Number	00211-US-NEW

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GD		M.C. GOODNOUGH, et al. "Stabilization of Botulinum Toxin Type A during Lyophilization," Applied and Environmental Microbiology, 58: 3426-3428 (1992).	
Sh		P. HAMBELTON, et al. "Potency equivalence of botulinum toxin preparations", Journal of the Royal Society of Medicine" 87: 719 (1994)	
Sh		K. MCCLELLAN, et al. "Therapeutic Botulinum Type A Toxin: Factors Affecting Potency," Toxicon, 34(9): 975-85 (1996).	
Sh		E.J. SCHANTZ, et al. "Properties and Use of Botulinum Toxin and Other Microbial Neurotoxins in Medicine," Microbiological Reviews, 56(1): 80-89 (1992).	
Sh		E.J. SCHANTZ, et al. "Preparation and Characterization of Botulinum Toxin Type A for Human Treatment," in "Therapy with Botulinum Toxin," ed. J. Jankovic and M. Hallett, Marcel Dekker Inc. pp. 41-49 (1994).	
Sh		J.P. DOWEIKO, et al. "Role of Albumin in Human Physiology and Pathophysiology," Journal of Parenteral and Enteral Nutrition, 15: 207-211 (1991).	
Sh		B. ASHER "Traitement des rides fronto-orbitaires par injections de toxine botulique, lifting endoscopique, et resurfacing laser," J. Med, Esth et Chir. Derm. XXIII:159-166 (1996) (French language only).	

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